

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Tax

AGENDA DATE: 11/08/2005

CONTACT PERSON/PHONE: Juan F. Sandoval - Ext. 4369

DISTRICT(S) AFFECTED: 6

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Approve an ordinance conveying title of property to the City of El Paso.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

This property has been an eyesore to the City and the community and it was "struck off" to the City for failure to pay taxes. Other taxing jurisdictions have agreed to sell it to the City of El Paso for \$1.00. The benefit to the citizens is that the eyesore will be removed.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA

CITY MANAGER: _____

DATE: _____



**TAX OFFICE
MEMORANDUM**

TO: Mayor & Council

THRU: Juan Sandoval, M.P.A., C.T.A, R.T.A.
City Tax Assessor Collector

DATE: October 26, 2005

SUBJECT: Back-Up Information on 11510 Cheryl Ladd Property

The ordinance and deed attached represent the final step in transferring ownership of the property at 11510 Cheryl Ladd. Other taxing entities have approved the transfer of this property to the City of El Paso.

Clean up of the property has begun.

I recommend approval.

/bv

cc: Joyce Wilson, City Manager
William Studer, Deputy City Manager
Jorge Villegas, Assistant City Attorney

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE
A TAX RESALE QUITCLAIM DEED FOR TRACT 6-A, BEING A PORTION OF
SECTION 6, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD SURVEYS,
BEING MORE PARTICULARLY DESCRIBED IN VOLUME 1338, PAGE 814, DEED
RECORDS OF EL PASO COUNTY, TEXAS**

Whereas, by Sheriff's Sale conducted on March 1, 2005, the properties known as TRACT 6-A, BEING A PORTION OF SECTION 6, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD SURVEYS, BEING MORE PARTICULARLY DESCRIBED IN VOLUME 1338, PAGE 814, DEED RECORDS OF EL PASO COUNTY, TEXAS, were struck off to the City of El Paso (the "**City**"), Trustee, pursuant to a delinquent tax foreclosure decree of the 34th Judicial District Court – Tax Docket, El Paso County, Texas; and

Whereas, the sum of \$1.00 has been tendered by the City for the purchase of said property pursuant to Section 34.05, Texas Tax Code Ann. (Vernon, 1996).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager is hereby authorized to execute a Tax Resale Quitclaim Deed conveying to the City, all of the right, title, and interest of the City, and all other taxing units interested in the tax foreclosure judgment in the following described real property:

TRACT 6-A, BEING A PORTION OF SECTION 6, BLOCK 79,
TOWNSHIP 3, TEXAS AND PACIFIC RAILROAD SURVEYS, BEING
MORE PARTICULARLY DESCRIBED IN VOLUME 1338, PAGE 814,
DEED RECORDS OF EL PASO COUNTY, TEXAS.

PASSED AND APPROVED THIS _____ day of _____, 2005.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Jorge Villegas
Assistant City Attorney

APPROVED AS TO CONTENT:

Juan Sandoval
Tax Assessor-Collector

ORDINANCE NO. _____

Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS

X

X

**KNOW ALL MEN BY THESE
PRESENTS**

COUNTY OF EL PASO

X

That **The City of El Paso, Trustee**, acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of \$1.00 cash in hand paid by

**The City of El Paso
#2 Civic Center Plaza
El Paso, Texas 79901**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, has quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under **Cause No. 99TX499; City of El Paso vs. La Encantada, Ltd., et al**, in the district court of said county, said property being located in El Paso County, Texas, and described as follows:

Tract 6-A, being a portion of Section 6, Block 79, Township 3, Texas and Pacific Railroad Surveys, being more particularly described in Volume 1338, Page 814, Deed Records of El Paso County, Texas.

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to any existing right of redemption remaining in the former owner of the property under the provisions of law and also subject to any recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the year the tax lien(s) arose.

IN TESTIMONY WHEREOF The City of El Paso, Trustee has caused these presents to be executed this _____ day of _____, 20____.

The City of El Paso, Trustee

BY: _____

Joyce Wilson
City Manager

STATE OF TEXAS

X

COUNTY OF EL PASO

X

This instrument was acknowledged before me on this _____ day of _____, 20_____, by Joyce Wilson, City Manager, of the City of El Paso, Trustee.

Notary Public, State of Texas

Commission Expires: _____

After recording return to:

**The City of El Paso
#2 Civic Center Plaza
El Paso, Texas 79901**